

# AUTO CR - LOG SUMMARY #1073137

TYPE: INFO

## Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

## Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party						M			

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
20-JAN-2011 04:30 - 20-JAN-2011 04:30	5101 S WENTWORTH AVE, CHICAGO, IL 60609	0225	002	280 - POLICE FACILITY/VEH PARKING LOT	

## Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	STANEK, DANIEL	20953		610 /	PO AS DETECTIVE ON Duty		Victim alleges that during a photo line-up, he was unjustly placed in a line-up with other men, none of whom had dread locks or heavy set as was the victim. Victim states that the other men were so dissimilar to him in appearance that he was easily picked out and charged with murder.
CPD Employee	Accused	REIFF, SCOTT	20847		610 /	PO AS DETECTIVE ON Duty		Victim alleges that during a photo line-up, he was unjustly placed in a line-up with other men, none of whom had dread locks or heavy set as was the victim. Victim states that the other men were so dissimilar to him in appearance that he was easily picked out and charged with murder.

## Other Involved Parties

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Victim/Subject						M	BLK		

## Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party		REIFF, SCOTT	NO RELATIONSHIP
Reporting Party Third Party		STANEK, DANIEL	NO RELATIONSHIP
Reporting Party Third Party			LAWYER

## Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:			

## Incident Category List

Incident Category	Primary?	Initial?
04Z - GROUP 04 - ARREST/LOCKUP PROCEDURES MISCELLANEOUS		N
04Z - GROUP 04 - ARREST/LOCKUP PROCEDURES MISCELLANEOUS	Y	Y

## Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
ALLEN, DERRICK	Primary	GENERAL INVESTIGATION SECTION	06-JAN-2015	07-MAR-2015	10-FEB-2015	35
O KELLY, PATRICK	Supervisor	GENERAL INVESTIGATION SECTION	06-JAN-2015	05-FEB-2015	10-FEB-2015	

## Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
ALLEN, DERRICK	05-FEB-2015	07-MAR-2015		OTHER (DESCRIBE)	R/A is preparing to close investigation - No Affidavit.	09-FEB-2015	O KELLY, PATRICK	09-FEB-2015	

## Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
REIFF, SCOTT	1	It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	004 GROUP 04 - ARREST/LOCKUP PROCEDURES	MISCELLANEOUS	NO AFFIDAVIT
STANEK, DANIEL	1	It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED] at on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	004 GROUP 04 - ARREST/LOCKUP PROCEDURES	MISCELLANEOUS	NO AFFIDAVIT

## Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	10-FEB-2015 12:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	10-FEB-2015 12:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	10-FEB-2015 09:57	ALLEN, DERRICK	POLICE AGENT	121 /	
PENDING INVESTIGATION	06-JAN-2015 08:39	TIERNEY, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	02-JAN-2015 07:09	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	30-DEC-2014 12:25	BOYD, SHARON	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	29-DEC-2014 01:28	MARZULLO, DAVID	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	29-DEC-2014 12:21	TOUSANT, LISA	INTAKE AIDE	113 /	
PRELIMINARY	29-DEC-2014 12:03	TOUSANT, LISA	INTAKE AIDE	113 /	

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					TOUSANT, LISA	29-DEC-2014 12:03			

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	INVESTIGATION					ALLEN, DERRICK	12-JAN-2015 07:26			
2	CONFLICT CERTIFICATION					ALLEN, DERRICK	12-JAN-2015 07:26			
3	DOCUMENTS - INVESTIGATION		1	Unsigned sworn affidavit - non	Y	ALLEN, DERRICK	09-FEB-2015 10:27	APPROVED		
4	DOCUMENTS - INTAKE INCIDENT		1		N	TOUSANT, LISA	29-DEC-2014 12:20	APPROVED		
5	DOCUMENTS - INVESTIGATION		14		Y	ALLEN, DERRICK	12-JAN-2015 10:33	APPROVED		
6	DOCUMENTS - INVESTIGATION		1		Y	ALLEN, DERRICK	09-FEB-2015 01:48	APPROVED		
7	DOCUMENTS - INVESTIGATION		2		Y	ALLEN, DERRICK	12-JAN-2015 10:24	APPROVED		
8	DOCUMENTS - INVESTIGATION		1		Y	ALLEN, DERRICK	29-JAN-2015 01:34	APPROVED		
9	DOCUMENTS - INTAKE INCIDENT		5		N	BOYD, SHARON	30-DEC-2014 12:23	APPROVED		
10	DOCUMENTS - INVESTIGATION		4		Y	ALLEN, DERRICK	12-JAN-2015 10:22	APPROVED		
	DOCUMENTS - INVESTIGATION		4	closing package	Y	ALLEN, DERRICK	10-FEB-2015 09:57	APPROVED		
	DOCUMENTS - INVESTIGATION		1	duplicate report	Y	ALLEN, DERRICK	12-JAN-2015 10:44	DELETED		
	DOCUMENTS - INVESTIGATION		1	grammatical errors, and r/a failed to put the time of the first attempt to contact	Y	ALLEN, DERRICK	12-JAN-2015 12:56	DELETED		

## Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
LIEUTENANT REVIEW		SUBMITTED	O KELLY, PATRICK	SERGEANT OF POLICE	196	10-FEB-2015 12:26	
SERGEANT REVIEW		SUBMITTED	O KELLY, PATRICK	SERGEANT OF POLICE	196	10-FEB-2015 12:26	

## Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
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## Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
STANEK, DANIEL	1. It is alleged by the complainant, Attorney [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	ALLEN, DERRICK	10-FEB-2015 09:57			NO AFFIDAVIT	
REIFF, SCOTT	1. It is alleged by the complainant, Attorney [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	ALLEN, DERRICK	10-FEB-2015 09:57			NO AFFIDAVIT	

## Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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## Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
REIFF, SCOTT	It is alleged by the complainant, Attorney [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	004 GROUP 04 - ARREST/LOCKUP PROCEDURES		NO AFFIDAVIT	
STANEK, DANIEL	It is alleged by the complainant, Attorney [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.	004 GROUP 04 - ARREST/LOCKUP PROCEDURES		NO AFFIDAVIT	

# FACE SHEET (Notification Date: 29-DEC-2014) - LOG #1073137

TYPE: INFO

## Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party						M			

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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## Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	STANEK, DANIEL	20953		610 /	PO AS DETECTIVE	ON Duty	Victim alleges that during a photo line-up, he was unjustly placed in a line-up with other men, none of whom had dread locks or heavy set as was the victim. Victim states that the other men were so dissimilar to him in appearance that he was easily picked out and charged with murder.
CPD Employee	Accused	REIFF, SCOTT	20847		610 /	PO AS DETECTIVE	ON Duty	Victim alleges that during a photo line-up, he was unjustly placed in a line-up with other men, none of whom had dread locks or heavy set as was the victim. Victim states that the other men were so dissimilar to him in appearance that he was easily picked out and charged with murder.

## Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

## Initial Incident Category List

Initial Incident Category	Primary?
04Z - GROUP 04 - ARREST/LOCKUP PROCEDURES MISCELLANEOUS	
04Z - GROUP 04 - ARREST/LOCKUP PROCEDURES MISCELLANEOUS	Y

## Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	O KELLY, PATRICK (SUPERVISOR)	06-JAN-2015 08:39	TIERNEY, JOHN	
IAD	GENERAL INVESTIGATION SECTION	ALLEN, DERRICK (PRIMARY INV)	06-JAN-2015 08:39	TIERNEY, JOHN	
IAD	GENERAL INVESTIGATION SECTION	-	30-DEC-2014 12:25	BOYD, SHARON	
IAD	INTERNAL AFFAIRS DIVISION	-	29-DEC-2014 12:03	TOUSANT, LISA	

## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	10-FEB-2015 12:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	10-FEB-2015 12:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	10-FEB-2015 09:57	ALLEN, DERRICK	POLICE AGENT	121 /	
PENDING INVESTIGATION	06-JAN-2015 08:39	TIERNEY, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	02-JAN-2015 07:09	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	30-DEC-2014 12:25	BOYD, SHARON	POLICE OFFICER	121 /	
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PENDING SUPERVISOR REVIEW	29-DEC-2014 12:21	TOUSANT, LISA	INTAKE AIDE	113 /	
PRELIMINARY	29-DEC-2014 12:03	TOUSANT, LISA	INTAKE AIDE	113 /	

**SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION**  
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS )  
COUNTY OF COOK ) CC

Location of Incident	Date	Time
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Summary of Statement(s):

*[Large area for summary of statement(s)]*

I, \_\_\_\_\_ hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Print Witness' Name

Affiant's Signature

Witness' Signature

Date

Date

26 DECEMBER 2014

CIVIL SUIT NUMBER

NAME OF DEFENDANT(S) OR OFFICER (S)

DET. DANIEL W. STANEK #20953

EMP#

UNIT# 610

DOA 14 DEC 1998

DET. SCOTT E. REIFF #20847

EMP#

UNIT# 610

DOA 05 JUN 1995

LOCATION OF INCIDENT

DATE & TIME OF INCIDENT 20 JANUARY, 2011 16:30 HRS

NAME OF PLAINTIFF'S ATTORNEY

ADDRESS

TELEPHONE

NAME OF PLAINTIFF (S) VICTIM

M/B DOB

ALLEGATION (S): Victim alleges that during a photo line-up, he was unjustly placed in a line-up with other men, none of whom had dread locks or heavy set as was the Victim. Victim states that the other men were so dissimilar to him in appearance that he was easily picked out and charged with murder

COMPLAINT REGISTER NUMBER

1073137

UNIT ASSIGNED TO INVESTIGATION

BUREAU OF INTERNAL AFFAIRS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

██████████,  
Plaintiff,

v.

JODY PETER WEIS, in his official  
and individual capacities,

OFFICER SPANEK, in his official and  
individual capacities,

OFFICER REESE, in his official and  
individual capacities,

CHICAGO POLICE DEPARTMENT,

CITY OF CHICAGO, ILLINOIS,

Defendants.

JURY TRIAL DEMANDED

Cause No.

**FILED**

10/28/2014

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

**COMPLAINT**

Plaintiff ██████████ for his complaint against Defendant Officers Spanek and Reese, Jody P. Weis, the Chicago Police Department, and the City of Chicago, Illinois, states as follows:

**INTRODUCTION**

1. This is an action for money damages, declaratory and injunctive relief brought pursuant to 42 U.S.C. §§ 1983 and 1988; the Fourteenth Amendment to the United States Constitution; and under the laws of the State of Illinois against Defendant Officers Spanek and Reese, in their individual and official capacities, Jody P. Weis, Past Superintendent of the Chicago Police Department, in his individual and official capacities, the Chicago Police Department, and the City of Chicago, Illinois.

**JURISDICTION AND VENUE**

2. This Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 over



Plaintiffs' cause of action arising under the Constitution of the United States and 42 U.S.C. § 1983 and pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202. This Court has supplemental jurisdiction of Plaintiff's cause of action arising under the Illinois state law pursuant to 28 U.S.C. § 1367.

3. Venue lies in the United States District Court of the Northern District of Illinois because at least one of the defendants resides in the Northern District of Illinois, and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in Chicago, Illinois. 28 U.S.C. §§ 1391(b)(1) and 1391(b)(2).

### **PARTIES**

4. Plaintiff [REDACTED] is an adult citizen and resident a [REDACTED]  
[REDACTED]

5. Defendant Officers Spanek and Reese are Police Officers with Chicago Police Department. They are sued in their individual and official capacities.

6. Defendant Jody P. Weis is a past Superintendent of Police of the Chicago Police Department. He was the Superintendent of Police at the time the incidents in question occurred. He is sued in his individual and official capacities.

7. Defendant City of Chicago, Illinois, was the public employer of Defendant Officers Spanek, Reese and Jody P. Weis at the time the incidents in question occurred.

### **BACKGROUND**

8. In October, 2010, [REDACTED] shot a bullet through the floor of the second floor apartment at [REDACTED]. A life-long friend of the plaintiff's, [REDACTED] lived at that address, and was present when the shooting happened. [REDACTED] girlfriend, was also present during the shooting. She accused the plaintiff of that shooting, even though she had never met the plaintiff before that time. She implicated the plaintiff at [REDACTED] instruction.

9. On November 4, 2010, [REDACTED] was visiting the [REDACTED] address while in possession of a cell phone that he had stolen from [REDACTED] called [REDACTED] with regard to a drug deal. However [REDACTED] the call. [REDACTED] having been apprised by [REDACTED] of the terms of the deal, decided to negotiate the deal himself. He gave [REDACTED] the address where to come. Not wanting to do the deal alone, he telephoned the plaintiff, who was on his way home from school at the time, to accompany him for moral support.

10. [REDACTED] drove into the parking lot at [REDACTED] was in the front passenger seat. [REDACTED] was in the rear seat. [REDACTED] approached the car at the driver's side window. The plaintiff was beside him in the direction of the rear of the car.

11. The deal did not go as planned. [REDACTED] pulled out a pistol, and cocked it. Hearing the gun being cocked, [REDACTED] ducked down low, then heard gun shots. [REDACTED] was shot to death.

12. Because the bullet casings in both shootings had the same firing pin characteristics, the police suspected the same person was involved in both shootings. Since the plaintiff had been accused, albeit falsely, of the first shooting, the police focused on the plaintiff.

13. During the subsequent investigation, [REDACTED] told officers Spanek and Reese that the plaintiff did not shoot [REDACTED] told officers Spanek and Reese that she falsely accused the plaintiff in the first shooting, because [REDACTED] had told her to do so.

14. During additional subsequent investigation [REDACTED] killed [REDACTED] said someone who was heavy-set and wore dread locks killed [REDACTED] Neither of them actually saw the shooting happen. They merely heard it happen.

15. On January 17, 2011, [REDACTED] picked [REDACTED] out in a line-up.

Officers Spanek and Reese charged [REDACTED] with murder.

16. Afterwards, Officers Spanek and Reese, told the plaintiff that they knew he did not murder [REDACTED]. However, they wanted the plaintiff to implicate [REDACTED] who at the time was on "house arrest" for armed robbery.

17. On January 19, 2011, because the plaintiff refused to implicate [REDACTED] falsely in the murder of John Lemon, Officers Spanek and Reese placed the plaintiff in a line-up with other men, none of whom had dread locks nor was heavy-set, as was the plaintiff. [REDACTED] picked the plaintiff out in that line-up. Officers Spanek and Reese then charged the plaintiff with murder.

18. The plaintiff was put on trial for murder, and was acquitted in February of 2014.

19. At all relevant times, all the defendants were acting under color of law and under color of authority as police officers, employees, and agents or servants of the City of Chicago, Illinois.

20. As a direct and proximate result of the acts of defendants, acts that violated clearly established and well settled Illinois and federal constitutional rights, the plaintiff suffered the following injuries and damages:

### COUNT I

#### *42 U.S.C. §1983 Against Defendant Officer Spanek*

21. Plaintiff re-alleges and incorporates by reference ¶¶ 1-20.

22. Plaintiff claims damages under 42 U.S.C. §1983 for violation of his constitutional right to equal protection and due process guaranteed by the Fourteenth Amendment of the U.S. Constitution against Defendant Officer Spanek in that Defendant Officer Spanek placed the plaintiff in a line-up with men who were so dissimilar to the plaintiff in appearance, that the plaintiff was easily picked out and charged with murder.

## COUNT II

### *42 U.S.C. §1983 Against Defendant Officer Reese*

23. Plaintiff re-alleges and incorporates by reference ¶¶ 1-22.

24. Plaintiff claims damages under 42 U.S.C. §1983 for violation of his constitutional right to equal protection and due process guaranteed by the Fourteenth Amendment of the U.S. Constitution against Defendant Officer Reese in that Defendant Officer Reese placed the plaintiff in a line-up with men who were so dissimilar to the plaintiff in appearance, that the plaintiff was easily picked out and charged with murder.

## COUNT III

### *42 U.S.C. §1985(2) Against Defendant Officers Spanek and Reese*

25. Plaintiff re-alleges and incorporates by reference ¶¶ 1-24.

26. Plaintiff claims damages under 42 U.S.C. §1985(2) against Defendant Officers Spanek and Reese when they conspired to get the plaintiff to implicate [REDACTED] [REDACTED] did not commit, then testify against [REDACTED] at any subsequent trial.

## COUNT IV

### *Civil Conspiracy Against Defendant Officers Spanek and Reese*

27. Plaintiff re-alleges and incorporates by reference ¶¶ 1-26.

28. Defendant Officers Spanek and Reese conspired to get the plaintiff to implicate [REDACTED] [REDACTED] in a murder [REDACTED] did not commit, then testify against [REDACTED] at any subsequent trial.

## COUNT V

### *Malicious Prosecution Against Defendant Officers Spanek and Reese*

29. Plaintiff re-alleges and incorporates by reference ¶¶ 1-28.

30. Defendant Officers Spanek and Reese prosecuted the plaintiff for a crime they knew

he did not commit because the plaintiff would not agree to implicate [REDACTED] in a murder [REDACTED] did not commit.

## COUNT VI

### *Respondeat Superior Against Jody P. Weis and the City of Chicago Police Department*

31. Plaintiff re-alleges and incorporates by reference ¶¶ 1-30.

32. Defendants Jody P. Weis and the City of Chicago Police Department are liable for the actions committed against Plaintiff by Defendant Officers Spanek and Reese. Jody P. Weis and the City of Chicago Police Department employed the Defendant Officers Spanek and Reese who committed the violations of Plaintiff's rights while acting within the scope of their employment.

33. Prior to October, 2010, Jody P. Weis and the City of Chicago Police Department developed and maintained policies and customs exhibiting deliberate indifference to the constitutional rights of persons in the City of Chicago, which caused the violation of Plaintiff's rights.

34. It was the policy and/or custom of Jody P. Weis and the City of Chicago Police Department to fail to exercise reasonable care in hiring its police officers, including Defendant Officers Spanek and Reese, thereby failing to adequately prevent constitutional violations on the part of its police officers.

35. It was the policy and/or custom of Jody P. Weis and the City of Chicago Police Department to inadequately supervise and train its Defendant officers, including Defendant Officers Spanek and Reese, thereby failing to adequately discourage further constitutional violations on the part of its defendant officers.

36. As a result of the above described policies and customs, Defendant Officers Spanek and Reese believed that their actions would not be properly monitored by supervisory personnel, and that misconduct would not be investigated or sanctioned, but would be tolerated.

37. The above described policies and customs demonstrate a deliberate indifference on the

part of Jody P. Weis and the City of Chicago Police Department to the constitutional rights of persons within the City of Chicago, and were the cause of the violations of Plaintiff's rights alleged herein.

#### **COUNT VII**

##### *Respondeat Superior Against the City of Chicago, Illinois*

38. Plaintiff re-alleges and incorporates by reference ¶¶ 1-37.

39. Defendant City of Chicago is liable for the actions committed against Plaintiff by Defendant Officers Spanek and Reese. The City of Chicago, Illinois, employed the Defendant Officers Spanek and Reese who committed the violations of Plaintiff's rights while acting within the scope of their employment.

#### **COUNT VIII**

##### *745 ILCS §10/9-102 Against the City of Chicago, Illinois*

40. Plaintiff re-alleges and incorporates by reference ¶¶ 1-39.

41. Defendant the City of Chicago, Illinois is a necessary party in order to indemnify the Jody P. Weis and the Chicago Police Department.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter judgment in favor of Plaintiff and against Defendants;
- B. Enter an order declaring Defendants' conduct unconstitutional;
- C. Award Plaintiff compensatory and punitive damages against Defendants in the amount of \$1,000,000.00;
- D. Award Plaintiff reasonable fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law;
- E. Enter a permanent injunction requiring Defendant City of Chicago to adopt appropriate policies related to the hiring, training and supervision of its deputy

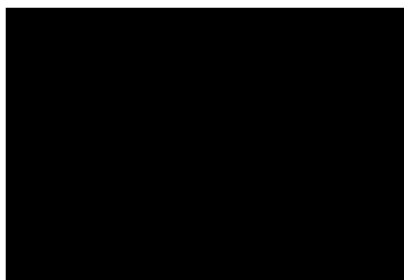
officers;

- F. Grant to Plaintiff such other and further relief as may be just and proper under the circumstances, including, but not limited to, appropriate injunctive relief.

### **JURY TRIAL DEMAND**

Plaintiff demands a jury trial, pursuant to the Seventh Amendment to the Constitution of the United States, as to all claims for damages.

Respectfully submitted,



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

[REDACTED]

CASE NUMBER:

[REDACTED]

V.

ASSIGNED JUDGE:

Joan H. Lefkow

Weis et al

DESIGNATED

MAGISTRATE JUDGE: Gilbert

TO: (Name and address of Defendant)

Officer Reese

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

[REDACTED]

an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

  
(By) DEPUTY CLERK



October 29, 2014

DATE



## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

## Waiver of Service of Summons

TO: \_\_\_\_\_  
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Officer Reese \_\_\_\_\_, acknowledge receipt of your request  
(DEFENDANT NAME)

that I waive service of summons in the action of \_\_\_\_\_ v Jody Peter Weis, et al  
(CAPTION OF ACTION)

which is case number \_\_\_\_\_ in the United States District Court  
(DOCKET NUMBER)

for the Northern District of Illinois.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 12/01/14,  
(DATE REQUEST WAS SENT)  
 or within 90 days after that date if the request was sent outside the United States.

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE)

Printed/Typed Name: \_\_\_\_\_

As \_\_\_\_\_ of \_\_\_\_\_  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CASE NUMBER: [REDACTED]

ASSIGNED JUDGE:

Joan H. Lefkow

DESIGNATED

MAGISTRATE JUDGE: Gilbert

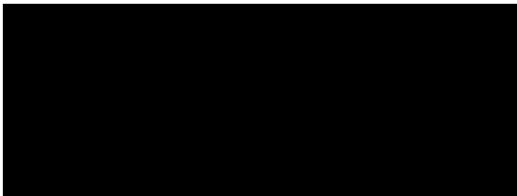
V.

Weis et al

TO: (Name and address of Defendant)


Officer Spanek

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)



an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

  
(By) DEPUTY CLERK



October 29, 2014

DATE

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

**Waiver of Service of Summons**TO: \_\_\_\_\_  
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)I, Officer Spanek, acknowledge receipt of your request  
(DEFENDANT NAME)that I waive service of summons in the action of Jody Peter Weis, et al,  
(CAPTION OF ACTION)which is case number \_\_\_\_\_ in the United States District Court  
(DOCKET NUMBER)

for the Northern District of Illinois.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

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(DATE REQUEST WAS SENT)  
or within 90 days after that date if the request was sent outside the United States.

\_\_\_\_\_  
(DATE) (SIGNATURE)

Printed/Typed Name: \_\_\_\_\_

As \_\_\_\_\_ of \_\_\_\_\_  
(TITLE) (CORPORATE DEFENDANT)

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CASE NUMBER: [REDACTED]

ASSIGNED JUDGE: Joan H. Lefkow

DESIGNATED  
MAGISTRATE JUDGE: Gilbert

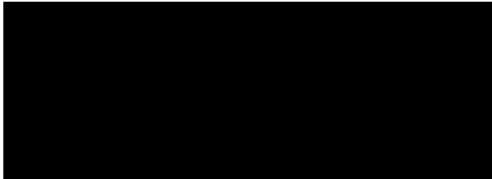
V.

Weis et al

TO: (Name and address of Defendant)

Jody Peter Weis

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)



an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

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(By) DEPUTY CLERK



October 29, 2014

DATE

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

**Waiver of Service of Summons**

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(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

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(CAPTION OF ACTION)

which is case number \_\_\_\_\_ in the United States District Court  
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(DATE REQUEST WAS SENT)  
 or within 90 days after that date if the request was sent outside the United States.

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE)

Printed/Typed Name: \_\_\_\_\_

As \_\_\_\_\_ of \_\_\_\_\_  
(TITLE) (CORPORATE DEFENDANT)

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Investigations Division  
General Investigations Section

09 January 2015  
Log #1073137

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

SUBJECT: Telephoned the complainant, Attorney [REDACTED]

ALLEGATION: It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED], that on 20 January 2011, at [REDACTED] at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, and Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.

On 08 January 2015, at 1048 hours, at [REDACTED] the Reporting Agent left a recorded message for the complainant, Attorney [REDACTED] to contact him at the Bureau of Internal Affairs regarding the above-mentioned allegation.

On the same date, same phone number, at 1443 hours, the R/A returned the complainant's phone call. R/A spoke with the complainant and he related that "he will do some discovery and get back to me." As protocol, the R/A continued to send him a certified letter requesting his cooperation. R/A is waiting for a response within a reasonable time.



Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

Approved:

Case Management Supervisor – Patrick O'KELLY  
Sergeant  
Bureau of Internal Affairs – General Investigations



Department of Police \* City of Chicago  
3510 South Michigan Avenue \* Chicago, Illinois 60653

---

Date 1/8/15

Re: C. L. No. 1073137 [REDACTED]

Dear Atty. [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

Name: PA D. ALLEN, #18366

Address: 3510 S. Michigan Ave., Chicago, Il. 53

Telephone: 312-745-6310

Hours Available: M-F, 7 am - 3 pm

Sincerely,

*PA D. Allen*

CPD-44.223 (REV. 1/07)

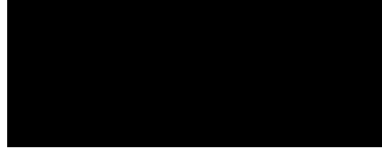
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Emergency: 9-1 -1 \* Non-Emergency: (Within City limits) 3-1 -1 \* Non-Emergency: (Outside City limits) 312-746-6000  
TTY: 312-746-9715 \* E-mail: [police@ci.chi.il.us](mailto:police@ci.chi.il.us) \* Website: [www.ci.chi.il.us/CAPS](http://www.ci.chi.il.us/CAPS)

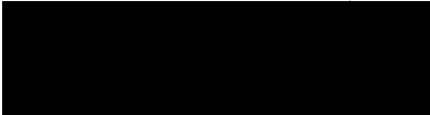
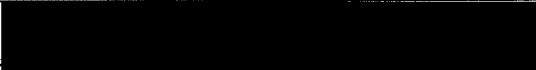
CPD 0271183



Department of Police  
3510 South Michigan Avenue  
Chicago, Illinois 60653  
PA D. ALLEN  
Unit 121



Log #1073137

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: 		B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label) 		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
102595-02-M-1540			

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALLEN Unit 121 OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

PS Form 3800, August 2006

See Reverse for Instructions

CPD 0271184



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**COMPLETE THIS SECTION ON DELIVERY**

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

1-20-15

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™

**CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALLEN

Unit 121

Postage  
Certified Fee  
Return Receipt Fee  
(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)  
Total Postage & Fees

CHICAGO POLICE DEPARTMENT  
JAN 09 2015

Postmark  
Here

uctions

CPD 0271185

## ARREST REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police Department Personnel Only)

CPD-11. 420C (REV. 6/30)

## ARREST REPORTING

OFFENDER	Name	[REDACTED]	Male
	Res	Beat: 212	Black
	Emp		5' 11"
	DOB		240 lbs
	AGE: 20 years		Brown Eyes
	POB: Illinois		Black Hair
	ARMED WITH Unarmed		Braids Hair Style
			Medium Brown Complexion
			Marks: [REDACTED]

INCIDENT	Arrest Date: 20 January 2011 16:30	TRR Completed? No	Total No Arrested: 1	Co-Arrests	Assoc Cases
	Location: 5101 S Wentworth Ave Chicago, IL 60609 280 - Police Facility/Veh Parking Lot	Beat: 225	Dependent Children? No	DCFS Ward ? No	
	Holding Facility: District 002 Male Lockup				
	Resisted Arrest? No				

CHARGES	1	Offense As Cited	720 ILCS 5.0/9-1-A-1	Victim
			MURDER - FIRST DEGREE Class M - Type F	[REDACTED]

FELONY REVIEW	Felony Review : Approved	21 JAN 2011 14:15	Pease-Harkin, Tara	State's Attorneys's Office
---------------	--------------------------	-------------------	--------------------	----------------------------

RECOVERED NARCOTICS	NO NARCOTICS RECOVERED
---------------------	------------------------

## ARREST REPORTING

WARRANT

NO WARRANT IDENTIFIED

NON-OFFENDER(S)

## VICTIM

Name

Male

Injured? No Deceased? Yes

Black

DOB

Hospitalized? No

Age: 23 years

Treated and Released? No

Comments:

ARRESTEE  
VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

## Confiscated Properties :

All confiscated properties are recorded in the e-Track System. This system can be queried by the inventory number to retrieve all official court documents related to evidence and/or recovered properties.

PROPERTIES INFORMATION FOR NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

INCIDENT NARRATIVE

(The facts for probable cause to arrest AND to substantiate the charges include, but are not limited to, the following)

Above arrested after he was identified as one of two offenders who while armed with a handgun shot and killed on 04 Nov 10. Arrestee transported himself to 002nd district where he was placed into custody.

SEE WC COMMENTS SECTION FOR ADDITIONAL COMMENTS

COURT INFO

Desired Court Date: 28 January 2011  
Branch: 66 2600 S CALIFORNIA - Room 101  
Court Sgt Handle? No  
Initial Court Date: 22 January 2011  
Branch: 1 2600 S CALIFORNIA - Room100  
Docket #:

BOND INFO

BOND INFORMATION NOT AVAILABLE

## ARREST REPORTING

## ATTESTING OFFICER:

I hereby declare and affirm, under penalty of perjury, that the facts stated herein are accurate to the best of my knowledge, information and/or belief.

Attesting Officer: #20953 STANEK, D V 21 JAN 2011 01:13

## ARRESTING OFFICER(S):

1st Arresting Officer: #20953 STANEK, D V Beat 5133

2nd Arresting Officer: #20847 REIFF, S E ( Beat 5133

## APPROVING SUPERVISOR:

Approval of Probable Cause : #51 MARTINEZ, 21 JAN 2011 01:16

## ARREST PROCESSING REPORT

Holding Facility: District 002 Male Lockup  
Received in Lockup: 21 January 2011 01:28  
Prints Taken: 21 January 2011 01:31  
Palprints Taken: Yes  
Photograph Taken: 21 January 2011 01:33  
Released from Lockup: 22 January 2011 07:04

Time Last Fed:  
Time Called: Phone#:  
Cell #: FC3  
Transport Details : 1PO

## VISUAL CHECK OF ARRESTEE

## ARRESTEE QUESTIONNAIRE

Is there obvious pain or injury? No  
Is there obvious signs of infection? No  
Under the influence of alcohol/drugs? No  
Signs of alcohol/drug withdrawal? No  
Appears to be despondent? No  
Appears to be irrational? No  
Carrying medication? No

Presently taking medication? No  
(if female)are you pregnant?  
First time ever been arrested? No  
Attempted suicide/serious harm? No  
Serious medical or mental problems? No  
Are you receiving treatment? No

## RETURN TO HOLDING FACILITY COMMENTS:

## QUESTIONNAIRE REMARKS:

## LOCKUP KEEPER COMMENTS:

## EMERGENCY CONTACT

Name : REFUSED

Res:

Beat:

## INTERVIEW LOG

NO INTERVIEWS LOGGED

## VISITOR LOG

NO VISITORS LOGGED

## ARREST PROCESSING REPORT

MOVEMENT LOG

MOVEMENT LOG INFORMATION NOT AVAILABLE

WC COMMENTS

## Watch Commander Comments:

#51 Martinez, Lucio A ( )

21 JAN 2011 01:44

holding to complete investigation

#319 Joyce, Shawn T ( )

21 JAN 2011 09:57

Det #20847 is investigating

REL w/o CHARGING

DOES NOT APPLY TO THIS ARREST

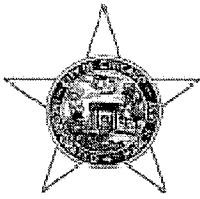
PROCESSING PERSONNEL

## ARRESTEE PROCESSING PERSONNEL:

			Beat
Searched By:	#8165	IRONS, D L	
Lockup Keeper:	#17907	BAILEY, C	
Assisting Arresting Officer:	#12713	GALLAGHER, J	6540
Assisting Arresting Officer:	#14562	BROWN, J	6540
Assisting Arresting Officer:	#16434	RAMIREZ, J	6540
Assisting Arresting Officer:	#17383	SUMMERVILLE, J	6540
Assisting Arresting Officer:	#19157	NELSON, M	2106A
Assisting Arresting Officer:	#19712	CASTILLO, J	6540
Assisting Arresting Officer:	#19790	MORIARTY, J	2106A
Assisting Arresting Officer:	#2056	NUNEZ, M	6540
Assisting Arresting Officer:	#2897	HURLEY, J	6540
Assisting Arresting Officer:	#3959	FERNANDEZ, J	6540
Assisting Arresting Officer:	#6714	RANDLE, J	6540
Fingerprinted By:		HUDDLESTON, J	
Detective :	#20847	Reiff, Scott	21 JAN 2011 09:56

## APPROVAL PERSONNEL:

			Beat
Final Approval of Charges :	#240	RICHARDS, E A	21 JAN 2011 14:22



# CHICAGO POLICE DEPARTMENT

3510 South Michigan Avenue/Chicago, Illinois  
60653  
Identification Section



## CRIMINAL HISTORY REPORT

CPD-31903C (REV. 7/04)

IDOC #

Current Arrest Information:

Date of Birth:

Age:

23 years

Place of Birth:

ILLINOIS

SSN #:

Drivers License #:

Drivers Lic. State:

Scars, Marks & Tattoos:

Key Historical Identifiers:

Alias or AKA used	Date Used	Dates of Birth Used	Social Security Numbers Used
	01-OCT-2014		
	20-JAN-2011		
	26-AUG-2009		

Criminal Justice Summary: Total arrests: 3 (1 Felony, 1 Misdemeanor)

Total convictions: 0

### ARREST

Arrest Name:

Arrest Date:

01-OCT-2014

Holding Facility: CPD - DISTRICT 003

Date of Birth:

Arrest Address:

DCN or CB:

Residence:

Officer:

WILLIAMS

Officer Badge#:

14382

Arresting Agency: CPD

Count Class Type Statute

Arrest Charge Description

Inchoate

[1] B M 720 ILCS 5.0/21-3-A-2

Criminal Trespass To Land

OFFENSE AS CITED

### COURT CHARGES/DISPOSITION

Statute

Charge

Class

Case#

720-5/21-3-A-2

CRIMINAL TRESPASS TO LAND

M

Disposition: SENTENCED/COURT SUPERVISION - SPECIAL CONDITIONS

Disposition Date: 02-OCT-2014

Sentence: SUPERVISION 000 YEARS 06 MONTHS 000 DAYS

Sentence Date: 02-OCT-2014

### ARREST

Arrest Name: [REDACTED] Arrest Date: **20-JAN-2011** Holding Facility: **CPD - DISTRICT 002 MALE**  
 Date of Birth: [REDACTED] Arrest Address: [REDACTED]  
 DCN or CB: [REDACTED] Residence: [REDACTED]  
 Officer: **STANEK** Officer Badge#: **20953** Arresting Agency: **CPD**

Count	Class	Type	Statute	Arrest Charge Description	Inchoate
[1]	M	F	720 ILCS 5.0/9-1-A-1	<b>Murder - First Degree</b>	<b>OFFENSE AS CITED</b>

<b>COURT CHARGES/DISPOSITION</b>					
<u>Statute</u>	<u>Charge</u>	<u>Class</u>	<u>Case#</u>		
720 - 5/8-4(18-2(A)(	ATTEMPT ARMED ROBBERY/ARMED W/	F	[REDACTED]		
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
<b>COURT CHARGES/DISPOSITION</b>					
<u>Statute</u>	<u>Charge</u>	<u>Class</u>	<u>Case#</u>		
720 - 5/8-4(18-4(A)(	ATTEMPT AGG VEHICLE HIJACKING/	F	[REDACTED]		
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
<b>COURT CHARGES/DISPOSITION</b>					
<u>Statute</u>	<u>Charge</u>	<u>Class</u>	<u>Case#</u>		
720-5/9-1(a)(1)	MURDER/INTENT TO KILL/INJURE	F	[REDACTED]		
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: VERDICT OF NOT GUILTY				Disposition Date: 10-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
<b>COURT CHARGES/DISPOSITION</b>					
<u>Statute</u>	<u>Charge</u>	<u>Class</u>	<u>Case#</u>		
720-5/9-1(a)(2)	MURDER/STRONG PROB KILL/INJURE	F	[REDACTED]		
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	
Sentence:				Sentence Date:	
Disposition: NOLLE PROSEQUI				Disposition Date: 04-FEB-2014	



Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Disposition: VERDICT OF NOT GUILTY

Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Disposition: NOLLE PROSEQUI

Sentence:

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

Disposition Date: 10-FEB-2014

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

Disposition Date: 04-FEB-2014

Sentence Date:

## COURT CHARGES/DISPOSITION

Statute	Charge	Class	Case#
720-5/9-1(a)(3)	MURDER/OTHER FORCIBLE FELONY	F	[REDACTED]

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

Disposition: NOLLE PROSEQUI

Disposition Date: 04-FEB-2014

Sentence:

Sentence Date:

## COURT CHARGES/DISPOSITION

Statute	Charge	Class	Case#
720-5/9-1-A-1	MURDER - FIRST DEGREE	M	[REDACTED]

Disposition: SUPERCEDED BY INDICTMENT

Disposition Date: 16-FEB-2011

Sentence:

Sentence Date:

## ARREST

Arrest Name: [REDACTED]

Arrest Date: 26-AUG-2009 Holding Facility: CPD - DISTRICT 002 MALE

Date of Birth: [REDACTED]

Arrest Address: [REDACTED]

DCN or CB: [REDACTED]

Residence: [REDACTED]

Officer: SWAYZER

Officer Badge#: 12615

Arresting Agency: CPD

Count Class Type Statute

Arrest Charge Description

Inchoate

[1] L 10-8-526

Cta - Unsafe Cond/Cross Between Cars (98-126-1.6a)

OFFENSE AS CITED

\*\*\*End of Report\*\*\*

This Chicago Police Department IR rap-sheet should not replace the use of the Illinois State Police statewide criminal history transcript, which may contain additional criminal history data and can be obtained by performing a CQR1 inquiry via your LEADS terminal.

---

08-JAN-2015 10:41

Requested by: [REDACTED]

Investigations Division  
General Investigations Section

09 January 2015  
Log #1073137

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

SUBJECT: Telephoned the complainant, Attorney [REDACTED]

ALLEGATION: It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED], that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, and Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily picked out and charged with murder.

On 08 January 2015, at 08 January 2015, a [REDACTED] the Reporting Agent left a recorded message for the complainant, Attorney [REDACTED] to contact him at the Bureau of Internal Affairs regarding the above-mentioned allegations.

On the same date, same phone number, at 1443 hours, the R/A returned the complainant's phone call. R/A spoke with the complainant and he related that "he will do some discovery and get back to me." As protocol, the R/A continued to send the complainant a certified letter requesting his cooperation. R/A is waiting for a response within a reasonable time.

*Derrick D. Allen*

Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

Approved:

Case Management Supervisor – Patrick O'KELLY  
Sergeant  
Bureau of Internal Affairs – General Investigations

Investigations Division  
General Investigations Section

09 January 2015  
Log #1073137

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

SUBJECT: Telephoned the complainant, Attorney [REDACTED]

ALLEGATION: It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED] that on 20 January 2011, at 5101 S. Wentworth, at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, and Det. Daniel STANEK, #20953, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily picked out and charged with murder.

On 08 January 2015, at 08 January 2015, at [REDACTED], the Reporting Agent left a recorded message for the complainant, Attorney [REDACTED] to contact him at the Bureau of Internal Affairs regarding the above-mentioned allegations.

On the same date, same phone number, at 1443 hours, the R/A returned the complainant's phone call. R/A spoke with the complainant and he related that "he will do some discovery and get back to me." As protocol, the R/A continued to send the complainant a certified letter requesting his cooperation. R/A is waiting for a response within a reasonable time.

*Derrick D. Allen*

Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

Approved:

Case Management Supervisor – Patrick O'KELLY  
Sergeant  
Bureau of Internal Affairs – General Investigations

Bureau of Internal Affairs  
Investigations Division  
General Investigations Section


09 February 2015  
Log #1073137

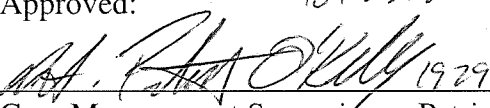
TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Police Agent Derrick D. ALLEN, #18366  
Investigations Division  
General Investigations Section

SUBJECT: Approval of Log #1073137

The attached Log Investigation has been completed and is submitted for your approval.

  
\_\_\_\_\_  
Police Agent Derrick D. ALLEN #18366  
Investigations Division  
General Investigations Section

Approved: <sup>10 FEB 15</sup>  
  
\_\_\_\_\_  
Case Management Supervisor – Patrick O'KELLY  
Sergeant  
Bureau of Internal Affairs – General Investigations

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

LOG NO

1073137

TYPE

INFO

DATE OF REPORT

09-FEB-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

**TO:** DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS  
**ATTENTION:** CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
ALLEN, DERRICK	9174	18366		121	DNA

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS	DATE / TIME	BEAT
	20-JAN-2011 16:01	225

### ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
STANEK, DANIEL W	9165	20953		610		M / WHI		14-DEC-1998	YES	YES
REIFF, SCOTT E	9165	20847		610		M / WHI		05-JUN-1995	YES	YES

### REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M/UNK	UNK

### VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
			UNK	M / BLK	24

### WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

### ALLEGATIONS

NOTE: Complaint Log "Type" remains classified as Info – sworn affidavit NOT on file.

It is alleged by the complainant, Attorney [REDACTED] who is representing [REDACTED] that on 20 January 2011, at [REDACTED] at 1630 hours, the accused, Det. Scott REIFF, #20847, Unit 610, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.

## SUMMARY

Reporting Agent procured the Face Sheet and the court documents associated with Civil Suit # [REDACTED]. It is alleged by [REDACTED] who is representing [REDACTED] that the accused, Detectives Daniel STANEK and Scott REIFF, placed his client in a photo lineup with other men who were dissimilar in appearance and because of it, he was easily identified and charged with murder.

A signed sworn affidavit was not procured by the R/A after he telephoned Atty. [REDACTED] on 08 January 2015, at 1148 and 1443 hours, respectively. Atty. [REDACTED] stated to the R/A, "he will do some discovery and get to me." R/A continued to send a certified letter to Atty. [REDACTED] requesting his cooperation. The green receipt from the certified letter was returned signed to the Bureau of Internal Affairs. However, as of today's date, Atty. [REDACTED] has failed to fully cooperate.

R/A procured the Arrest Report of [REDACTED] along with his Criminal History Report.

Based on the evidence gathered, non cooperation, and an unsigned sworn affidavit, this investigation supports a finding of No Affidavit.

Closed – No Conversion

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
0	0	0	10

## FINDINGS - RECOMMENDATIONS

Accused #1: Det. Daniel STANEK, #20953, Unit 610  
Allegation #1: No Affidavit

Accused #1: Det. Scott REIFF, #20953, Unit 610  
Allegation #1: No Affidavit

RECOMMENDATION: No Disciplinary Action Warranted – Case To Be File.

DATE INITIATED  
(Date incident was received for investigation)

06-JAN-2015

DATE COMPLETED (Date of this report)

09-FEB-2015

ELAPSED TIME  
(Total time expressed in days)

34

Investigator will initiate the Command Channel Review form by  
completing the Investigator's Section.


INVESTIGATOR'S SIGNATURE

*Lee D. Allen*

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CPD 0271199

## Attachments of Log #1073137

	No.	Type	Related Person	No. of Pages	Narrative
<a href="#">View</a>	1	FACE SHEET	N/A		
<a href="#">View</a>	2	CONFLICT CERTIFICATION	N/A		
<a href="#">View</a>	3	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Unsigned sworn affidavit - non cooperation
<a href="#">View</a>	4	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	1	
<a href="#">View</a>	5	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	14	
<a href="#">View</a>	6	TELEPHONE CONTACT	N/A	1	
<a href="#">View</a>	7	LETTER TO COMPLAINANT	N/A	2	
<a href="#">View</a>	8	CERTIFIED MAIL RECEIPT	N/A	1	
<a href="#">View</a>	9	ARREST REPORT	N/A	5	
<a href="#">View</a>	10	ARREST HISTORY	N/A	4	

Internal Use Only